California Regional Water Quality Control Board
Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3348

NOTICE OF PUBLIC HEARING

for

WASTE DISCHARGE AND PRODUCER/USER WATER RECYCLING REQUIREMENTS
(National Pollutant Discharge Elimination System Permit)
ORDER NO. R8-2006-0003, NPDES NO. CA0105376
for
CITY OF BEAUMONT
WASTEWATER TREATMENT PLANT NO. 1
Riverside County

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Santa Ana Region, proposes to reissue waste discharge and producer/user water recycling requirements for the City of Beaumont's Wastewater Treatment Plant No. 1 for the discharge of tertiary treated wastewater to Cooper's Creek, which is tributary to San Timoteo Creek and the Santa Ana River, Reach 5 and for the use of tertiary treated and disinfected recycled water.

The Board is seeking comments concerning the proposed waste discharge requirements and the potential effects of the discharge on the water quality and beneficial uses of the affected receiving waters.

The Board will hold a public hearing to consider adoption of the proposed waste discharge requirements as follows:

DATE:	January 18, 2006
TIME:	9:00 a.m.
PLACE:	City Council Chambers of Loma Linda 25541 Barton Road Loma Linda

Interested persons are invited to submit written comments on the proposed Order No. R8-2006-0003. Interested persons are also invited to attend the public hearing and express their views on issues relating to the proposed Order. Oral statements will be heard, but should be brief to allow all interested persons time to be heard. For the accuracy of the record, all testimony (oral statements) should be submitted in writing.

Although all comments that are provided up to and during the public hearing on this matter will be considered, receipt of comments by January 2, 2006 would be appreciated so that they can be used in the formulation of the draft Order that will be transmitted to the Board two weeks prior to the hearing. The draft Order may contain changes resulting from comments received from the public. To view on/or download a copy of the draft Order, please access our website at *www.swrcb.ca.gov/rwqcb8* on or after January 7, 2006.

The Board's proposed Order, related documents, and all comments and petitions received may be inspected and copied at the Regional Board office, 3737 Main Street, Suite 500, Riverside, CA 92501-3348 (phone 951-782-4130) by appointment scheduled between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday. Copies of the proposed Order will be mailed to interested persons upon request to J. Shami (951) 782-3288.

Any person who is physically challenged and requires reasonable accommodation to participate in this Regional Board Meeting should contact Catherine Ehrenfeld at (951) 782-3285 no later than January 7, 2006.

California Regional Water Quality Control Board
Santa Ana Region

January 18, 2006

ITEM:

SUBJECT: Reissuance of Waste Discharge Requirements for the City of Beaumont's Wastewater Treatment Plant No. 1, Order No. R8-2006-0003, NPDES No. CA0105376, Riverside County

DISCUSSION:

See attached Fact Sheet

RECOMMENDATIONS:

Adopt Order No. R8-2006-0003, NPDES No. CA0105376 as presented.

COMMENT SOLICITATION:

Comments were solicited from the discharger and the following agencies:

U.S. Environmental Protection Agency, Permits Issuance Section (WTR-5) – Dough Eberhardt
U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch
U.S. Fish and Wildlife Service – Carlsbad
State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon
State Water Resources Control Board, Division of Water Quality – Jim Maughan
California Department of Health Services, San Diego – Steve Williams
State Department of Water Resources - Glendale
State Department of Fish and Game – Long Beach
Orange County Water District – Nira Yamachika
Riverside County Department of Environmental Health Services
Riverside County Transportation/Flood Control Department
Santa Ana River Dischargers Association
City of Beaumont – Dayle Keller
Orange County Coastkeeper – Garry Brown
Lawyers for Clean Water C/c San Francisco Baykeeper
Wildermuth Environmental, Inc. – Kristal Davis

California Regional Water Quality Control Board

Santa Ana Region

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http://www.waterboards.ca.gov/santaana

Alan C. Lloyd, Ph.D.
Agency Secretary

Arnold Schwarzenegger
Governor

ORDER NO. R8-2006-0003
NPDES NO. CA0105376

The following Discharger is authorized to discharge in accordance with the waste discharge requirements set forth in this Order:

Discharger	**City of Beaumont**
Name of Facility	**Wastewater Treatment Plant No. 1**
Facility Address	**715 W. 4th Street**
	Beaumont, CA 92223
	Riverside County

The Discharger is authorized to discharge from the following discharge points as set forth below:

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Tertiary treated and disinfected	33 º, 55', 24" N	116º, 59', 34" W	Cooper's Creek; San Timoteo Management Zone (STMZ)
002	Recycled Water	33 º, 55', 25" N	116º, 59', 35" W	Beaumont Groundwater Management Zone
003	Stormwater	33 º, 55', 25" N	116º, 59', 31" W	Cooper's Creek; STMZ
004	Stormwater	33 º, 55', 24" N	116º, 59', 38" W	Cooper's Creek; STMZ
005	Stormwater	33 º, 55', 23" N	116º, 59', 42" W	Cooper's Creek, STMZ
006	Stormwater	33 º, 55', 25" N	116º, 59', 24" W	Cooper's Creek, STMZ

This Order was adopted by the Regional Water Board on:	**January 18, 2006**
This Order shall become effective on:	**January 18, 2006**
This Order shall expire on:	**January 18, 2011**
The U.S. Environmental Protection Agency (U.S. EPA) and the Regional Water Board have classified this discharge as a major discharge.	
The Discharger shall file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of the Order expiration date as application for issuance of new waste discharge requirements.	

IT IS HEREBY ORDERED, that Order No. 00-10 is superseded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted therein, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted therein, the Discharger shall comply with the requirements in this Order.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that Order No. R8-2006-0003 with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on January 18, 2006.

Gerard J. Thibeault, Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
REGION 8, SANTA ANA REGION

ORDER NO. R8-2006-0003
NPDES NO. CA0105376

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I. FACILITY INFORMATION

The following Discharger is authorized to discharge in accordance with the Waste Discharge Requirements set forth in this Order:

Discharger	**City of Beaumont**
Name of Facility	**Wastewater Treatment Plant No. 1, Beaumont**
Facility Address	**715 W. 4th Street**
	Beaumont, CA 92223
	Riverside County
Facility Contact, Title, and Phone	**Alan Kapanicas, City Manager, (951) 769-8534**
Mailing Address	**550 E. 6th Street, Beaumont, CA 92223**
Type of Facility	**POTW**
Facility Design Flow	**4 MGD**

II. FINDINGS

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Water Board), finds:

A. Background. The City of Beaumont (hereinafter Discharger) is currently discharging under Order No. 00-10 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0105376. The Discharger submitted a Report of Waste Discharge, dated October 28, 2004, and applied for a NPDES permit renewal to discharge up to 4 MGD of tertiary treated wastewater from the City of Beaumont Wastewater Treatment Plant No. 1, hereinafter Facility.

B. Facility Description. The Discharger operates Wastewater Treatment Plant No. 1 through Urban Logic Consultants, a private contractor. The treatment system consists of bar screens, aeration/equalization, clarification, sand filtration, UV disinfection, sludge thickening/drying, and aerobic digestion. Wastewater is discharged from Discharge point 001 to Cooper's Creek, which leads to San Timoteo Creek, Reach 3, a tributary to the Santa Ana River, Reach 5. Reach 3 of San Timoteo Creek is unlined and flows in the Creek recharge the underlying San Timoteo Management Zone. While the discharge is to Cooper's Creek, it is considered a *de facto* discharge to San Timoteo Creek and the San Timoteo Management Zone. Most of the wastewater produced at Treatment Plant No. 1 will be recycled for uses overlying the Beaumont Management Zone, including landscape irrigation. Attachment B shows the location of the facility. Attachment C provides a flow schematic of the treatment process at the facility.

C. Legal Authorities. This Order is issued pursuant to section 402 of the Federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and Chapter 5.5, Division 7 of the California Water Code (CWC). It shall serve as a NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to Article 4, Chapter 4 of the CWC.

D. Background and Rationale for Requirements. The Regional Water Board developed the requirements in this Order based on information submitted as part of the application and through monitoring and reporting programs. Attachment F, which contains background information and rationale for Order requirements, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A through E and G through L are also incorporated into this Order.

E. California Environmental Quality Act (CEQA). This action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100, et seq.) in accordance with Section 13389 of the CWC.

F. Technology-based Effluent Limitations. The Code of Federal Regulations (CFR) at 40 CFR §122.44(a) requires that permits include applicable technology-based limitations and standards. This Order includes technology-based effluent limitations based on tertiary treatment or equivalent requirements that meet both the technology-based secondary treatment standards for publicly owned treatment works (POTWs) and protect the beneficial uses of the receiving waters. The Regional Water Board has considered the factors listed in CWC §13241 in establishing these requirements**.** A discussion of the development of the technology-based effluent limitations is included in the Fact Sheet (Attachment F).

G. Water Quality-Based Effluent Limitations. Section 122.44(d) of 40 CFR requires that permits include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality objectives to protect the beneficial uses of the receiving water. Where numeric water quality objectives have not been established, 40 CFR §122.44(d) specifies that WQBELs may be established using USEPA criteria guidance under CWA section 304(a), proposed State objectives or a State policy interpreting narrative objectives supplemented with other relevant information, or an indicator parameter. EPA and the State Water Board have determined that for toxic pollutants discharges to non-ocean waters, it is not practicable to express water quality-based effluent limitations as an average weekly and an average monthly, and recommend using a maximum daily and an average monthly effluent limitation for such discharges. This Order implements this recommendation.

H. Water Quality Control Plans. The Regional Water Board adopted a revised Water Quality Control Plan for the Santa Ana Region (hereinafter Basin Plan) that became effective on January 24, 1995. The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters in the Santa Ana Region addressed through the plan. More recently, the Basin Plan was amended significantly to incorporate revised boundaries for groundwater subbasins, now termed "management zones", new nitrate-nitrogen and TDS objectives for the new management zones, and new nitrogen and TDS management strategies applicable to both surface and ground waters. This Basin Plan Amendment was adopted by the Regional Water Board on January 22, 2004. The State Water Resources Control Board (State Water Board) and Office of Administrative Law (OAL) approved the Amendment on September 30, 2004 and December 23, 2004, respectively. The surface water provisions of the Amendment are awaiting approval by the U.S. Environmental Protection Agency. This Order implements those provisions, which, for the City of Beaumont, are more stringent than those in the Basin Plan. In addition, State Water Board Resolution No. 88-63 requires that, with certain exceptions, the Regional Water Board assign the

municipal and domestic supply use to water bodies that do not have beneficial uses listed in the Basin Plan. Beneficial uses applicable to receiving waters are as follows:

Discharge Point	Receiving Water Name	Beneficial Use(s)
001, 003, 004, 005, and 006	Copper's Creek and San Timoteo Creek, Reach 3[1]	a. Groundwater recharge, b. Water contact recreation, c. Non-contact water recreation, d. Warm freshwater habitat,and e. Wildlife habitat,.
001, 003, 004, 005, and 006	Santa Ana River, Reach 5[2]	a. Agricultural supply, b. Groundwater recharge, c. Water contact recreation, d. Non-contact water recreation, e. Warm freshwater habitat, f. Wildlife habitat, and g. Rare, threatened, or endangered species.
001, 003, 004, 005, and 006	San Timoteo Groundwater Management Zone	a. Municipal and domestic supply, b. Agricultural Supply, c. Industrial process supply, and d. Industrial service supply
002	Beaumont Groundwater Management Zone	a. Municipal and domestic supply, b. Agricultural Supply, c. Industrial process supply, and d. Industrial service supply

Requirements of this Order specifically implement the applicable Water Quality Control Plans.

I. Stormwater. On April 17, 1997, the State Board adopted the General Industrial Storm Water Permit, Order No. 97-03-DWQ, NPDES No. CAS000001. This General Permit implements the Final Regulations (40 CFR 122, 123, and 124) for storm water runoff published on November 16, 1990 by EPA in compliance with Section 402(p) of the Clean Water Act (CWA). This Order includes pertinent provisions of the General Industrial Storm Water permit appropriate for this discharge. The Regional Water Board has determined that pollution prevention is necessary to achieve water quality objectives. Consequently, this Order requires the Discharger to establish, update as necessary and implement a pollution prevention plan and stormwater monitoring.

J. National Toxics Rule (NTR) and California Toxics Rule (CTR). USEPA adopted the NTR on December 22, 1992, which was amended on May 4, 1995 and November 9, 1999, and the CTR on May 18, 2000, which was amended on February 13, 2001. These rules include water quality criteria for priority pollutants and are applicable to this discharge.

[1] Excepted from municipal and domestic supply (MUN)

[2] Excepted from municipal and domestic supply downstream of Orange Avenue (Redlands)

K. State Implementation Policy. On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP*)*. The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that have been approved by USEPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP became effective on May 18, 2000. The SIP includes procedures for determining the need for and calculating WQBELs and requires Dischargers to submit data sufficient to do so. On February 24, 2005, the State Water Board amended the SIP. The Office of Administrative Law (OAL) approved the amendments on May 31, 2005. On July 13, 2005, the United States Environmental Protection Agency (USEPA) approved the amendments.

L. Antidegradation Policy. Section 131.12 of 40 CFR requires that State water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution 68-16, which incorporates the requirements of the federal antidegradation policy. Resolution 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. As discussed in the Fact Sheet (Attachment F), the permitted discharge is consistent with the antidegradation provision of 40 CFR §131.12 and State Water Board Resolution 68-16.

M. Anti-Backsliding Requirements. Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at 40 CFR § 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order No. 00-10.

N. Monitoring and Reporting. Section 122.48 of 40 CFR requires that all NPDES permits specify requirements for recording and reporting monitoring results. Sections 13267 and 13383 of the CWC authorize the Regional Water Boards to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. This Monitoring and Reporting Program is provided in Attachment E.

O. Standard and Special Provisions. Standard Provisions, which in accordance with 40 CFR §§122.41 and 122.42, apply to all NPDES discharges and must be included in every NPDES permit, are provided in Attachment D. The Regional Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet (Attachment F).

P. Notification of Interested Parties. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet (Attachment F) of this Order.

Q. Consideration of Public Comment. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet (Attachment F) of this Order.

III. DISCHARGE PROHIBITIONS

A. Wastes discharged shall be limited to tertiary treated and disinfected effluent.
B. Discharge of wastewater at a location or in a manner different from that described in the Findings is prohibited.
C. The bypass or overflow of untreated wastewater or wastes to surface waters or surface water drainage courses is prohibited, except as allowed in Standard Provision I.H. of Attachment D, Federal Standard Provisions.
D. The discharge of any substances in concentrations toxic to animal or plant life in the affected receiving water is prohibited.
E. The discharge of any radiological, chemical, or biological warfare agent or high level radiological waste is prohibited.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations:

1. Final Effluent Limitations

a. The discharge of tertiary treated wastewater shall maintain compliance with the following effluent limitations, with compliance measured at effluent box monitoring location (M-001), as described in the attached Monitoring and Reporting Program (Attachment E):

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Biochemical Oxygen Demand 5-day @ 20°C	mg/L	20	30	- -	- -	- -
	lbs/day	667	1001	- -	- -	- -
Total Suspended Solids	mg/L	20	30	- -	- -	- -
	lbs/day	667	1001	- -	- -	- -
PH	standard units	- -	- -	- -	6.5	8.5
Selenium	ug/L	4	- -	8	- -	- -
	lbs/day	0.13	- -	0.27	- -	- -

b. Percent Removal: The average monthly percent removal of BOD 5-day 20°C and total suspended solids shall not be less than 85 percent.

c. TDS Limitations: The following TDS limitations apply to surface water discharges, with compliance measured at effluent box monitoring location (M-001), as described in the attached Monitoring and Reporting Program (Attachment E).

(1) Provided that maximum benefit is demonstrated (see Special Provisions C.1.a and C.1.b), TDS limits are specified as follows. The lower of the two total dissolved solids limits specified in (a) or (b), below, is the limit.

(a) The 12-month running average total dissolved solids concentration and mass emission rate shall not exceed 490 mg/l and 16,346 lbs/day[3], respectively, and

(b) The 12-month total dissolved solids concentration shall not exceed the 12-month average total dissolved solids concentration in the water supply by more than 250 mg/l.

(2) If maximum benefit is not demonstrated (see Special Provisions C.1.c), the 12-month running average total dissolved solids concentration and mass emission rate shall not exceed 320 mg/l and 10,675 lbs/day[4], respectively,

d. Total Inorganic Nitrogen (TIN) Limitations: The following TIN limitations apply to surface water discharges, with compliance measured at effluent box monitoring location (M-001), as described in the attached Monitoring and Reporting Program (Attachment E).

(1) Provided that maximum benefit is demonstrated (see Provision 1a and b), the 12-month running average TIN concentration and mass emission rate shall not exceed 6 mg/l and 200 lbs per day[5], respectively.

(2) If maximum benefit is not demonstrated (see Special Provisions C.1.c), the 12-month running average TIN concentration and mass emission rate shall not exceed 4.1 mg/l and 137 lbs per day[6], respectively.

e. The discharge shall at all times be adequately oxidized, filtered, and disinfected tertiary treated wastewater and shall meet the following limitations:

(1) The turbidity of the filter effluent shall not exceed any of the following:

(a) Average of 2 Nephelometric Turbidity Unit (NTU) within any 24-hour period;

(b) 5 NTU more than 5 percent of the time in any 24-hour period; and

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3 Calculated from 4 mgd x 8.34 x 490 mg/l.

4 Calculated from 4 mgd x 8.34 x 320 mg/l.

5 Calculated from 4 mgd x 8.34 x 6 mg/l.

6 Calculated from 4 mgd x 8.34 x 4.1 mg/l.

(c) 10 NTU at any time.

(2) The 7-day median number of total coliform shall not exceed a Most Probable Number (MPN) of 2.2 total coliform bacteria per 100 milliliters (ml).

(3) The number of total coliform organism shall not exceed an MPN of 23 total coliform bacteria per 100 ml in more than one sample in any 30-day period.

(4) No total coliform sample shall exceed an MPN of 240 total coliform bacteria per 100 ml.

2. Toxicity Requirements:

a. There shall be no acute or chronic toxicity in the plant effluent nor shall the plant effluent cause any acute or chronic toxicity in the receiving water. All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in human, plant, animal, or indigenous aquatic life. This Order contains no numeric limitation for toxicity. However, the discharger shall conduct chronic toxicity monitoring.

b. The discharger shall implement the accelerated monitoring specified in Attachment E when the result of any single chronic toxicity test of the effluent exceeds 1.0 TUc.

c. The discharger shall develop an Initial Investigation Toxicity Reduction Evaluation (IITRE) work plan that describes the steps the discharger intends to follow if required by Toxicity Requirement No. 2.d., below. The work plan shall include at a minimum:

(1) A description of the investigation and evaluation techniques that will be used to identify potential causes/sources of the exceedance, effluent variability, and/or efficiency of the treatment system in removing toxic substances. This shall include a description of an accelerated chronic toxicity testing program.
(2) A description of the methods to be used for investigating and maximizing in-house treatment efficiency and good housekeeping practices.
(3) A description of the evaluation process to be used to determine if implementation of a more detailed TRE\TIE is necessary.

d. The discharger shall implement the IITRE work plan whenever the results of chronic toxicity tests of the effluent exceed:

(a) A two month median value of 1.0 TUc for survival or reproduction endpoint or,

(b) Any single test value of 1.7 TUc for survival endpoint.

e. The discharger shall develop a detailed Toxicity Reduction Evaluation and Toxicity Identification Evaluation (TRE/TIE) work plan that shall describe the steps the discharger intends to follow if the implemented IITRE fails to identify the cause of, or rectify, the toxicity.

f. The discharger shall use as guidance, at a minimum, EPA manuals EPA/600/2-88/070 (industrial), EPA/600/4-89-001A (municipal), EPA/600/6-91/005F (Phase I), EPA/600/R-92/080 (Phase II), and EPA-600/R-92/081 (Phase III) to identify the cause(s) of toxicity. If during the life of this Order the aforementioned EPA manuals are revised or updated, the revised/updated manuals may also be used as guidance. The detailed TRE/TIE work plan shall include:

(a) Further actions to investigate and identify the cause of toxicity;

(b) Actions the discharger will take to mitigate the impact of the discharge and to prevent the recurrence of toxicity; and

(c) A schedule for these actions.

g. The discharger shall implement the TRE/TIE workplan if the IITRE fails to identify the cause of, or rectify, the toxicity, or if in the opinion of the Executive Officer the IITRE does not adequately address an identified toxicity problem.

h. The discharger shall assure that adequate resources are available to implement the required TRE/TIE.

B. **Land Discharge Specifications:** Limitations necessary to protect groundwater recharged by surface water discharges are specified in IV.A. - Effluent Limitations, above. Limitations necessary to protect groundwater as the result of recycled water use are specified in IV.C. Reclamation Specifications, below.

C. **Reclamation Specifications:**

1. Beginning February 1, 2006, the use of recycled water for landscape irrigation or other similar uses shall maintain compliance with the following limitations. Compliance is to be measured at monitoring location Rec-001 where representative samples of recycled water can be obtained for laboratory testing and analysis as described in the attached Monitoring and Reporting Program (Attachment E).

a. Physical/Biological Limitations:

Parameter	Units	Recycled Water Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Biochemical Oxygen Demand 5-day @ 20°C	mg/L	30	45	- -	- -	- -
Total Suspended Solids	mg/L	30	45	- -	- -	- -
pH	standard units	- -	- -	- -	6	9

b. TDS Limitations: The following TDS limitations apply to recycled water use sites overlying the Beaumont management zone:

(1) Provided that maximum benefit is demonstrated (see Special Provisions VI.C.1.a. and VI.C.1.b.), the TDS concentration of recycled water shall not exceed 490 mg/L and the 10-year volume weighted rolling average TDS concentration of the commingled non-potable water supply and recycled water shall be less than 390 mg/l.
(2) If maximum benefit is not demonstrated (see Special Provisions VI.C.1.c.), the 12-month running average total dissolved solids concentration shall not exceed 230 mg/l

c. Total Inorganic Nitrogen (TIN) Limitations: The following TIN limitations apply to the non-potable water supply (recycled water blended with untreated State Project water) to be used at non-potable water use sites overlying the Beaumont management zone:

(1) Provided that maximum benefit is demonstrated (see Special Provisions VI.C.1.a. and VI.C.1.b.), the 12-month running average TIN concentration shall not exceed 6.67 mg/l.

(2) If maximum benefit is not demonstrated (see Special Provisions VI.C.1.c.), the 12-month running average TIN concentration shall not exceed 2 mg/l.

d. Selenium: The 12-month running average Selenium concentration shall not exceed 10 ug/L

e. Recycled water shall at all times be adequately oxidized, filtered, and disinfected tertiary treated wastewater and shall meet the following limitations:

(1) The turbidity of the filter effluent shall not exceed any of the following:
  (a) Average of 2 Nephelometric Turbidity Unit (NTU) within any 24-hour period;
  (b) 5 NTU more than 5 percent of the time in any 24-hour period; and
  (c) 10 NTU at any time.
(2) The 7-day median number of total coliform shall not exceed a Most Probable Number (MPN) of 2.2 total coliform bacteria per 100 milliliters (ml).
(3) The number of total coliform organism shall not exceed an MPN of 23 total coliform bacteria per 100 ml in more than one sample in any 30-day period.
(5) No total coliform sample shall exceed an MPN of 240 total coliform bacteria per 100 ml.

2. The use of recycled water shall only commence after final approval for such use is granted by the California Department of Health Services (CDHS). The Discharger shall provide the Regional Water Board with a copy of the CDHS approval letter within 30 days of the approval notice.

3. The Discharger shall be responsible for assuring that recycled water is delivered and utilized in conformance with this Order, the recycling criteria contained in Title 22, Division 4, Chapter 3, Sections 60301 through 60355, California Code of Regulations, and the "Guidelines for Use of Reclaimed Water" by the California Department of Health Services. The discharger shall conduct periodic inspections of the facilities of the recycled water users to monitor compliance by the users with this Order.

4. The Discharger shall establish and enforce Rules and Regulations for Recycled Water users, governing the design and construction of recycled water use facilities and the use of recycled water in accordance with the uniform statewide recycling criteria established pursuant to the California Water Code Section 13521.

    a. Use of recycled water by the discharger shall be consistent with its Rules and Regulations for Recycled Water Use.

    b. Any revisions made to the Rules and Regulations shall be subject to the review of the Regional Water Board, the California Department of Health Services, and the County of Riverside Department of Environmental Health. The revised Rules and Regulations or a letter certifying that the discharger's Rules and Regulations contain the updated provisions in this Order, shall be submitted to the Regional Water Board within 60 days of adoption of this Order by the Regional Water Board.

5. The Discharger shall, within 60 days of the adoption of this Order, review and update as necessary its program to conduct compliance inspections of recycled water reuse sites. Inspections shall determine the status of compliance with the discharger's Rules and Regulations for Recycled Water Use.

6. The storage, delivery, or use of recycled water shall not individually or collectively, directly or indirectly, result in a pollution or nuisance, or adversely affect water quality, as defined in the California Water Code

7. Prior to delivering recycled water to any new user, the discharger shall submit to the Regional Water Board, the California Department of Health Services and the Riverside County Health Department a report containing the following information for review and approval:

    a. The average number of persons estimated to be served at each use site area on a daily basis.
    b. The specific boundaries of the proposed use site area including a map showing the location of each facility, drinking water fountain, and impoundment to be used.
    c. The person or persons responsible for operation of the recycled water system at each use area.
    d. The specific use to be made of the recycled water at each use area.

e. The methods to be used to assure that the installation and operation of the recycled system will not result in cross connections between the recycled water and potable water piping systems. This shall include a description of the pressure, dye or other test methods to be used to test the system.
f. Plans and specifications which include following:
   1) Proposed piping system to be used.
   2) Pipe locations of both the recycled and potable systems.
   3) Type and location of the outlets and plumbing fixtures that will be accessible to the public.
   4) The methods and devices to be used to prevent backflow of recycled water into the potable water system.
   5) Plan notes relating to specific installation and use requirements.

8. The Discharger shall require the user(s) to designate an on-site supervisor responsible for the operation of the recycled water distribution system within the recycled water use area. The supervisor shall be responsible for enforcing this Order, prevention of potential hazards, the installation, operation and maintenance of the distribution system, maintenance of the distribution and irrigation system plans in "as-built" form, and for the distribution of the recycled wastewater in accordance with this Order.

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

1. Receiving water limitations are based upon water quality objectives contained in the Basin Plan. As such, they are a required part of this Order. The discharge shall not cause the following in Cooper's Creek, San Timoteo Creek, in the Santa Ana River, Reach 5, or in downstream Reaches of the Santa Ana River:

   a. Coloration of the receiving waters, which causes a nuisance or adversely affects beneficial uses.
   b. Deposition of oil, grease, wax or other materials in the receiving waters in concentrations which result in a visible film or in coating objects in the water, or which cause a nuisance or affect beneficial uses.
   c. An increase in the amounts of suspended or settleable solids in the receiving waters, which will cause a nuisance or adversely affect beneficial uses as a result of controllable water quality factors.
   d. Taste or odor-producing substances in the receiving waters at concentrations, which cause a nuisance or adversely affect beneficial uses.
   e. The presence of radioactive materials in the receiving waters in concentrations, which are deleterious to human, plant or animal life.
   f. The depletion of the dissolved oxygen concentration below 5.0 mg/l.
   g. The temperature of the receiving waters to be raised above 90°F (32°C) during the period of June through October, or above 78°F (26°C) during the rest of the year.

h. The concentration of pollutants in the water column, sediments, or biota to adversely affect the beneficial uses of the receiving water. The discharge shall not result in the degradation of inland surface water communities and populations, including vertebrate, invertebrate, and plant species.

2. The discharge of wastes shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Board or State Board, as required by the Clean Water Act and regulations adopted thereunder.

3. Pollutants not specifically mentioned and limited in this Order shall not be discharged at levels that will bioaccumulate in aquatic resources to levels, which are harmful to human health.

4. The discharge shall not contain constituent concentrations of mercury that will result in the bioaccumulation of methylmercury in fish flesh tissue greater than 0.3 milligram methylmercury/kilogram. (See also Section VI.C.2.g. and VI.C.3., below)

B. Groundwater Limitations for recycled water use at sites overlying the Beaumont Groundwater Management Zone.

1. The use of recycled water shall not cause the underlying groundwater to be degraded, unreasonably affect beneficial uses, or cause a condition of pollution or nuisance.

VI. PROVISIONS

A. Standard Provisions

1. **Standard Provisions.** The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.

2. **Regional Water Board Standard Provisions.** The Discharger shall comply with the following provisions:

a. Neither the treatment nor the discharge of waste shall create, or threaten to create, a nuisance or pollution as defined by Section 13050 of the California Water Code.

b. The discharger shall optimize chemical additions needed in the treatment process to meet waste discharge requirements so as to minimize total dissolved solid increases in the recycled water.

c. The discharger shall conduct a Pollutant Minimization Program (PMP) when there is evidence that the priority pollutant is present in the effluent above an effluent limitation (e.g., sample results reported as detected but not quantified (DNQ) when the effluent limitation is less than the MDL, sample results from analytical methods more sensitive than those methods included in the permit, presence of whole effluent toxicity, health advisories for fish consumption, results of benthic or aquatic organism tissue sampling) and either: (i) A sample result is reported as DNQ and the effluent limitation is less than the reported ML; or (ii) A sample result is reported as ND and the effluent limitation is less than the MDL. The PMP shall include, but not be limited to, the following actions and submittals acceptable to the Regional Water Board:

(1) An annual review and semi-annual monitoring of potential sources of the reportable priority pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling;
(2) Quarterly monitoring for the reportable priority pollutant(s) in the influent to the wastewater treatment system;
(3) Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutant(s) in the effluent at or below the effluent limitation;
(4) Implementation of appropriate cost-effective control measures for the reportable priority pollutant(s), consistent with the control strategy; and
(5) An annual status report that shall be sent to the Regional Water Board including:
    (a) All PMP monitoring results for the previous year;
    (b) A list of potential sources of the reportable priority pollutant(s);
    (c) A summary of all actions undertaken pursuant to the control strategy; and
    (d) A description of actions to be taken in the following year.

d. The discharger shall maintain a copy of this Order at the site so that it is available to site operating personnel at all times. Key operating personnel shall be familiar with its content.

e. The discharger shall take all reasonable steps to minimize any adverse impact to receiving waters resulting from noncompliance with any requirements specified in this Order, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

f. The provisions of this Order are severable, and if any provision of this Order, or the application of any provisions of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order shall not be affected thereby.

g. Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Regional Water Board's Executive Officer.

h. If the discharger demonstrates a correlation between the biological oxygen demand (BOD) and total organic carbon (TOC) concentrations in the effluent to the satisfaction of the Executive Officer, compliance with the BOD limits contained in this Order may be determined based on analyses of the TOC of the effluent.

i. In the event of any change in control or ownership of land or waste discharge facility presently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Water Board.

j. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.

B. Monitoring and Reporting Program Requirements

The Discharger shall comply with the Monitoring and Reporting Program, and future revisions thereto, in Attachment E of this Order. This monitoring and reporting program may be modified by the Executive Officer at any time during the term of this Order, and may include an increase in the number of parameters to be monitored, the frequency of the monitoring or the number and size of samples to be collected. Any increase in the number of parameters to be monitored, the frequency of the monitoring or the number and size of samples to be collected may be reduced back to the levels specified in the original monitoring and reporting program at the discretion of the Executive Officer.

C. Special Provisions

1. Reopener Provisions

a. This Order may be reopened to address any changes in State or federal plans, policies or regulations that would affect the quality requirements for the discharges.

b. This Order may be reopened once the 2004 Basin Plan amendment is approved by EPA, to include revised waste load allocations for discharges to Cooper's Creek as specified in the 2004 amended Basin Plan.

a. This Order may be reopened to include effluent limitations for pollutants determined to be present in the discharge in concentrations that pose a reasonable potential to cause or contribute to violations of water quality objectives.

b. This Order may be reopened and modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include the appropriate conditions or limits to address demonstrated effluent toxicity based on newly available information, or to implement any EPA-approved new State water quality standards applicable to effluent toxicity.

c. This Order may be reopened to incorporate appropriate biosolids requirements if the State Water Resources Control Board and the Regional Water Quality Control Board are given the authority to implement regulations contained in 40 CFR 503.

d. This Order may be reopened to include an appropriate bioaccumulation based effluent limit for mercury if test results (as required in Attachment E of this Order) show that the concentration levels of methylmercury in the fish tissue are at or above 0.3 milligrams per kilogram.

2. Special Studies, Technical Reports and Additional Monitoring Requirements

By March 1, 2006, the discharger shall notify the Executive Officer of its continuous involvement with the comprehensive mercury investigation program currently being conducted by a group of Santa Ana River system dischargers. If the discharger discontinues its involvement with this comprehensive program, the discharger shall, within 60 days of that date, submit for the approval of the Executive Officer its plan for the annual testing of mercury levels in fish flesh samples collected from the Santa Ana River, upstream of, at, and downstream of the point of the River's confluence with San Timoteo Creek. Upon approval, the discharger shall implement the plan.

3. Best Management Practices and Pollution Prevention

a. Storm water discharges shall not result in noncompliance with the lawful requirements of municipalities, counties, drainage districts, and other local agencies on storm water discharges into storm drain systems or other courses under their jurisdiction.

b. Stormwater Pollution Prevention Plan - The discharger must update and implement the Storm Water Pollution Prevention Plan for the treatment facility in accordance with Attachment "J" of this Order.

c. Best Management Practices Plan. The Discharger shall develop, notify the Regional Water Board of completion, and implement within 90 days of the effective date of this Order, a Best Management Practices Plan (BMPP). If necessary, the plan, or any existing plan, shall be updated to address any changes in operation and/or management of the facility. Notification that a plan has been updated shall be submitted to the Regional Water Board within 30 days of revision.

The BMPP shall be consistent with the general guidance contained in the EPA *Guidance Manual for Developing Best Management Practices (BMPs)* (EPA 833-B-93-004). In particular, a risk assessment of each area identified by the Discharger shall be performed to determine the potential for hazardous or toxic waste/material discharge to surface waters.

4. Compliance Schedules (Not Applicable)

5. Construction, Operation and Maintenance Specifications

a. The discharger's wastewater treatment plant shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23, Division 3, Chapter 14, California Code of Regulations.

b. The discharger shall provide safeguards to assure that should there be reduction, loss, or failure of electric power, the discharger will comply with the requirements of this Order.

c. The discharger shall update as necessary, the "Operation and Maintenance Manual (O&M Manual)" which it has developed for the treatment facility to conform to latest plant changes and requirements. The O&M Manual shall be readily available to operating personnel onsite. The O&M Manual shall include the following:

(1) Description of the treatment plant table of organization showing the number of employees, duties and qualifications and plant attendance schedules (daily, weekends and holidays, part-time, etc). The description should include documentation that the personnel are knowledgeable and qualified to operate the treatment facility so as to achieve the required level of treatment at all times.
(2) Detailed description of safe and effective operation and maintenance of treatment processes, process control instrumentation and equipment.
(3) Description of laboratory and quality assurance procedures.
(4) Process and equipment inspection and maintenance schedules.
(5) Description of safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharger will be able to comply with requirements of this Order.
(6) Description of preventive (fail-safe) and contingency (response and cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. These plans shall identify the possible sources (such as loading and storage areas, power outage, waste treatment unit failure, process equipment failure, tank and piping failure) of accidental discharges, untreated or partially treated waste bypass, and polluted drainage.

6. Special Provisions for Municipal Facilities (POTWs Only)

a. Sludge Disposal Requirements

(1) Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with State Water Resources Control Board and Integrated Waste Management Board's joint regulations (Title 27) of the California Code of Regulations and approved by the Water Board's Executive Officer.

(2) The use and disposal of biosolids shall comply with existing Federal and State laws and regulations, including permitting requirements and technical standards included in 40 CFR 503.

(3) Any proposed change in biosolids use or disposal practice from a previously approved practice should be reported to the Executive Officer and EPA Regional Administrator at least 90 days in advance of the change.

(4) The discharger shall take all reasonable steps to minimize or prevent any discharge or biosolids use or disposal that has the potential of adversely affecting human health or the environment.

b. The Discharger shall submit a monthly report that validates that recycled water used for recharge is an oxidized and filtered wastewater. The report shall include:

(1) Description of when, how often and whether coagulation of the wastewater is employed in the treatment process. If coagulation is not used at all times, the users shall:

i. Continuously monitor the turbidity of the influent to the filters. Turbidity exceedances of 10 NTU or above at any time, and of 5 NTU for more than 15 minutes, shall be included in the monthly report;
ii. Certify that chemical addition for coagulation has been automatically employed when the filter influent turbidity exceeds 5 NTU for more than 15 minutes.

(2) Description of the type and rate of filtration employed in the treatment process.

7. Other Special Provisions

Maximum Benefit Provisions:

a. The discharger shall implement the maximum benefit commitments specified in Attachment L in accordance with the compliance date(s) stipulated therein[7].

b. For the San Timoteo Management Zone, the demonstration of maximum benefit is contingent on the Discharger's effective implementation of the maximum benefit commitments specified in Attachment L and on the effective implementation by the Yucaipa Valley Water District of maximum benefit commitments specified in the Basin Plan (Table 5-9a) (see Attachment F, Fact Sheet, page 17).

c. If the discharger elects not to implement the maximum benefit commitments specified in Attachment L, or if the Regional Board determines that the maximum benefit commitments are not being implemented effectively by the Discharger in accordance with the schedule prescribed in Attachment L, or if the Regional Board determines that the Yucaipa Valley Water District is not implementing its maximum benefit commitments pertaining to the San Timoteo Management Zone[8], then the discharger shall mitigate TDS and nitrogen discharges affecting the San Timoteo and Beaumont GMZs that took place in excess of the limits specified in Sections IV.A.1.c. and IV.A.1.d., and

[7] The Discharger has not yet proposed specific plans to implement recycled water recharge projects. Accordingly, appropriate requirements for such projects are not specified in this Order. Therefore, compliance with the recycled water recharge maximum benefit commitment specified in Attachment L, item 5, is not now required to assure effective maximum benefit implementation. This Order will be reconsidered and revised as necessary to implement relevant maximum benefit commitments if and when the Discharger proposes recycled water projects.

[8] See Fact Sheet, page F-17

Sections IV.C.1.b. and IV.C.1.c. A proposed mitigation plan and schedule shall be submitted within 60-days of notification by the Regional Board Executive Officer of the need to do so. The discharger shall implement the plan and schedule upon approval by the Regional Board.

VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in Section IV of this Order will be determined as specified below:

A. Average Monthly Effluent Limitation (AMEL).
If the average of daily discharges over a calendar month exceeds the AMEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). The average of daily discharges over the calendar month that exceeds the AMEL for a parameter will be considered out of compliance for that month only. If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger will be considered out of compliance for that calendar month. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month. (See also paragraph VII.M.2., below)

B. Average Weekly Effluent Limitation (AWEL).
If the average of daily discharges over a calendar week exceeds the AWEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. The average of daily discharges over the calendar week that exceeds the AWEL for a parameter will be considered out of compliance for that week only. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Discharger will be considered out of compliance for that calendar week. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

C. Maximum Daily Effluent Limitation (MDEL).
If a daily discharge exceeds the MDEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

D. Instantaneous Minimum Effluent Limitation.
If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, a violation will be flagged and the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

E. Instantaneous Maximum Effluent Limitation.
If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, a violation will be flagged and the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

F. Compliance with the 12-month average limit under Discharge Specification IV.A.1.c. and IV.A.1.d. shall be determined by the arithmetic mean of the last twelve monthly averages.

G. Compliance determinations for total chlorine residual shall be based on 99% compliance. To determine 99% compliance with the effluent limitation specified in Discharge Specification IV.A.1.a. for total chlorine residual, the following conditions shall be satisfied.

a. The total time during which the total chlorine residual values are above 0.1 mg/l (instantaneous maximum value) shall not exceed 7 hours and 26 minutes in any calendar month;
b. No individual excursion from 0.1 mg/l value shall exceed 5 minutes; and
c. No individual excursion shall exceed 5.0 mg/l.

H. The Discharger shall be considered in compliance with Discharge Specifications IV.A.1.e.(1) if the following conditions are met. If the discharger is using a properly operating backup turbidimeter, the reading of the backup turbidimeter shall be considered in determining whether there has been an actual noncompliance:

a. There are no excursions above the limits specified in Discharge Specifications IV.A.1.e.(1)(a) and (b);
b. Exceedances of the "10 NTU at any time" turbidity requirement do not exceed a duration of one minute.
c. The apparent exceedance was caused by interference with, or malfunction of, the monitoring instrument.

I. Compliance with the weekly average total coliform limit expressed in Discharge Specification A.1.e.(2) shall be based on a running median of the test results from the previous 7 days. To comply with the weekly average limit, the 7-day median MPN must not exceed 2.2 per 100 milliliters on any day during the week. However, only one violation is recorded for each calendar week, even if the 7-day median MPN value is greater than 2.2 for more than one day in the week.

J. Pursuant to 40 CFR 401.17, the discharger shall be in compliance with the pH limitation specified in Discharge Specification IV.A.1.a., above, provided that both of the following conditions are satisfied:

1. The total time during which the pH values are outside the required range of 6.5-8.5 pH values shall not exceed 7 hours and 26 minutes in any calendar month; and

2. No individual excursion from the range of pH values shall exceed 60 minutes.

K. Compliance determinations shall be based on available analyses for the time interval associated with the effluent limitation. Where only one sample analysis is available in a specified time interval (e.g., monthly or weekly average), that sample shall serve to characterize the discharge for the entire interval. If quarterly sample results show noncompliance with the average monthly limit and that sample result is used for compliance determinations for each month of the quarter, then three separate violations of the average monthly limit shall be deemed to have occurred.

L. Compliance with a single effluent limitation which applies to a group of chemicals (e.g., PCBs), based on a single sample shall be determined by considering the concentrations of individual members of the group to be zero if the analytical response for the individual chemical falls below the method detection limit (MDL or PQL) for that chemical.

M. For priority pollutants, the discharger shall be deemed out of compliance with an effluent limitation if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation.

1. Compliance determination shall be based on the minimum level (ML)[8] specified in Attachment "G" of this Order, unless an alternative reporting level is approved by the Regional Water Board's Executive Officer. When there is more than one ML value for a given substance, the discharger shall select the ML value that is below the calculated effluent limitation, and use its associated analytical method, listed in Attachment "G" of this Order. If no ML value is below the effluent limitation, then the Regional Water Board will select as the reporting level the lowest ML value and its associated analytical method.

2. When determining compliance with an average monthly limit and more than one sample result is available in a month, the discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of detected but not quantified (DNQ) or not detected (ND). In those cases, the discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

    a. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

[8] Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ. If a sample result, or the arithmetic mean or median of multiple sample results, is below the reporting level, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the discharger conducts a pollutant minimization program (PMP)[9] , the discharger shall not be deemed out of compliance.

N. For non-priority pollutants, the discharge shall be considered to be in compliance with an effluent limitation that is less than or equal to the practical quantitation level (PQL)[10] specified in Attachment "I" of this Order if the arithmetic mean of all test results for the monitoring period is less than the constituent effluent limitation. Analytical results that are less than the specified PQL shall be assigned a value of zero.

O. Compliance with the 12-month average limit under Discharge Specification IV.C.1.b and IV.C.1.c. shall be determined by the arithmetic mean of the last twelve monthly averages.

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9 The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation.

10 PQL is the lowest concentration of a substance that can be determined within ± 20 percent of the true concentration by 75 percent of the analytical laboratories tested in a performance evaluation study. Alternatively, if performance data are not available, the PQL is the method detection limit (MDL) x 5 for carcinogens and MDL x 10 for noncarcinogens

ATTACHMENT A – DEFINITIONS

Average Monthly Effluent Limitation (AMEL): the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL): the highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Daily Discharge: Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

Instantaneous Maximum Effluent Limitation: the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation: the lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Maximum Daily Effluent Limitation (MDEL): the highest allowable daily discharge of a pollutant.

Method Detection Limit (MDL) is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analytical concentration is greater than zero, as defined in 40 CFR 136, Appendix B, revised as of May 14, 1999.

Minimum level (ML) is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

Practical Quantitation Level (PQL) is the lowest concentration of a substance that can be determined within ± 20 percent of the true concentration by 75 percent of the analytical laboratories tested in a performance evaluation study. Alternatively, if performance data are not available, the PQL is the method detection limit (MDL) x 5 for carcinogens and MDL x 10 for noncarcinogens

Coefficient of Variation (CV): is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

LTAs: Long-Term Averages.

MEC: Maximum pollutant concentration for the effluent.

ECA: Effluent concentration allowance.

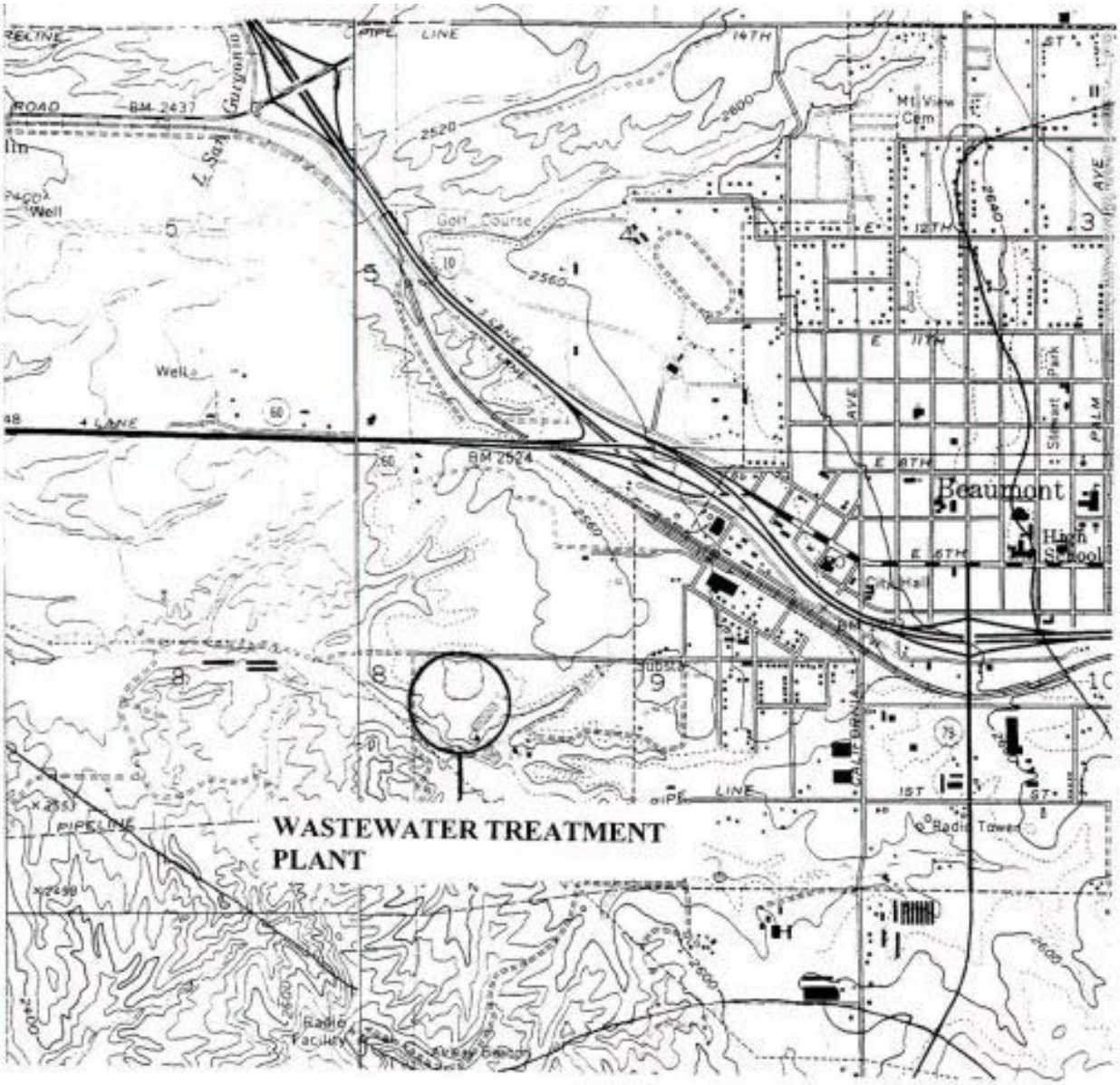
CMC: Criteria maximum concentration.

CCC: Criteria chronic concentration.

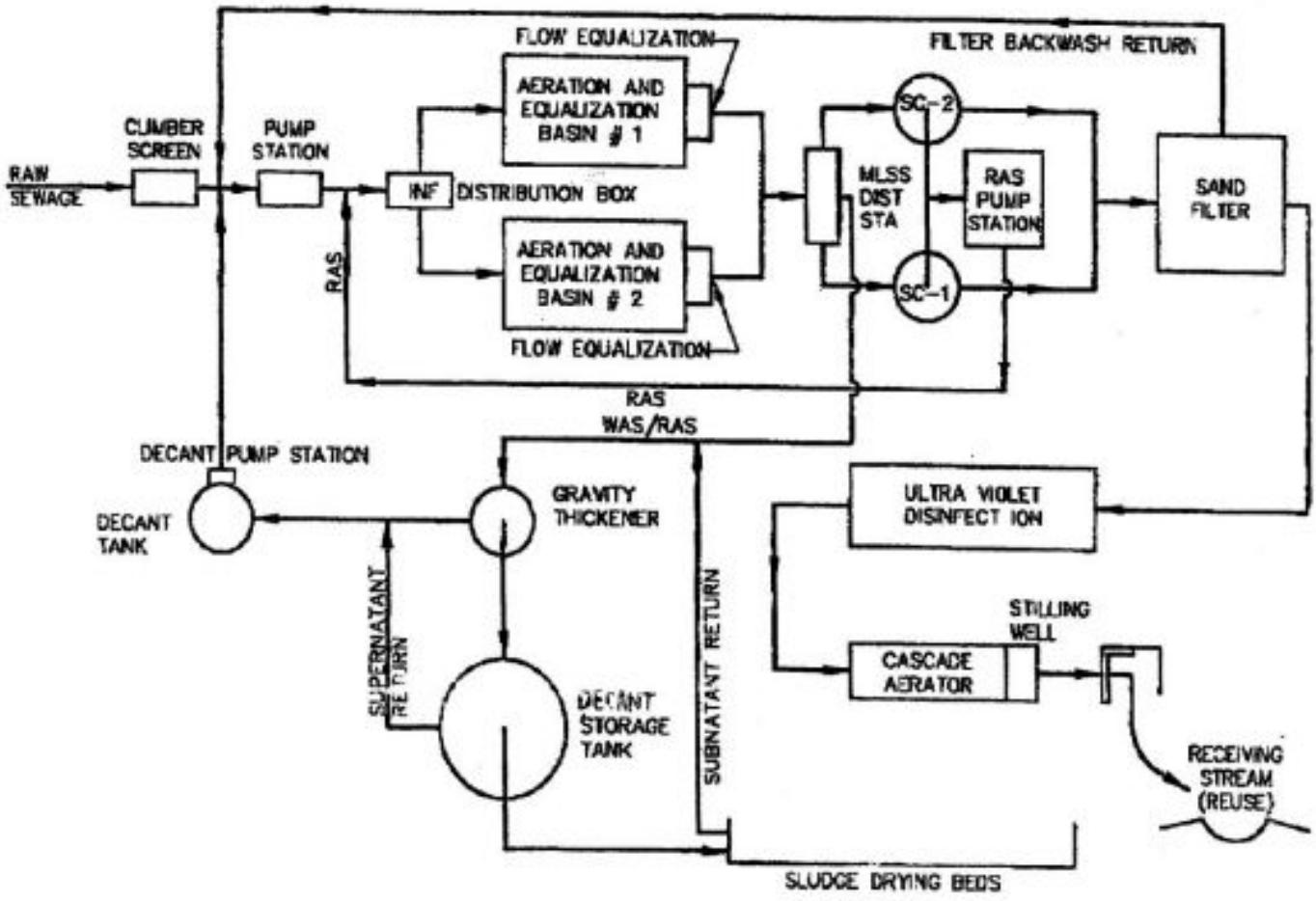
A "grab" sample is defined as any individual sample collected in less than 15 minutes.

A composite sample is defined as a combination of no fewer than eight individual grab samples obtained over the specified sampling period. The volume of each individual grab sample shall be proportional to the discharge flow rate at the time of sampling. The compositing period shall equal the specific sampling period, or 24 hours, if no period is specified.

ATTACHMENT B – VICINITY MAP



ATTACHMENT C – FLOW SCHEMATIC



ATTACHMENT D – FEDERAL STANDARD PROVISIONS

I. STANDARD PROVISIONS – PERMIT COMPLIANCE

A. Duty to Comply

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (CWC) and is grounds for enforcement action, for permit termination, revocation and reissuance, or denial of a permit renewal application [*40 CFR §122.41(a)*].

2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not been modified to incorporate the requirement [*40 CFR §122.41(a)(1)*].

B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order [*40 CFR §122.41(c)*].

C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment [*40 CFR §122.41(d)*].

D. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order [*40 CFR §122.41(e)*].

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges [*40 CFR §122.41(g)*].

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations [*40 CFR §122.5(c)*].

F. Inspection and Entry

The Discharger shall allow the Regional Water Quality Control Board (RWQCB), State Water Resources Control Board (SWRCB), United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to [*40 CFR §122.41(i)*] [*CWC 13383(c)*]:

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order [*40 CFR §122.41(i)(1)*];

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order [*40 CFR §122.41(i)(2)*];

3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order [*40 CFR §122.41(i)(3)*];

4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the CWC, any substances or parameters at any location [*40 CFR §122.41(i)(4)*].

G. Bypass

1. Definitions

   a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility [*40 CFR §122.41(m)(1)(i)*].

   b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production [*40 CFR §122.41(m)(1)(ii)*].

2. Bypass not exceeding limitations – The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3 and I.G.5 below [*40 CFR §122.41(m)(2)*].

3. Prohibition of bypass – Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless [*40 CFR §122.41(m)(4)(i)*]:

   a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage [*40 CFR §122.41(m)(4)(A)*];

   b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance [*40 CFR §122.41(m)(4)(B)*]; and

   c. The Discharger submitted notice to the Regional Water Board as required under Standard Provision – Permit Compliance I.G.5 below [*40 CFR §122.41(m)(4)(C)*].

4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above [*40 CFR §122.41(m)(4)(ii)*].

5. Notice

   a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass [*40 CFR §122.41(m)(3)(i)*].

   b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below [*40 CFR §122.41(m)(3)(ii)*].

H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [*40 CFR §122.41(n)(1)*].

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph H.2 of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review [*40 CFR §122.41(n)(2)*].

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [*40 CFR §122.41(n)(3)*]:

   a. An upset occurred and that the Discharger can identify the cause(s) of the upset [*40 CFR §122.41(n)(3)(i)*];

   b. The permitted facility was, at the time, being properly operated [*40 CFR §122.41(n)(3)(i)*];

   c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b [*40 CFR §122.41(n)(3)(iii)*]; and

   d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above [*40 CFR §122.41(n)(3)(iv)*].

3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof [*40 CFR §122.41(n)(4)*].

II. STANDARD PROVISIONS – PERMIT ACTION

A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition [*40 CFR §122.41(f)*].

B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit [*40 CFR §122.41(b)*].

C. Transfers

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the CWC [*40 CFR §122.41(l)(3)*] [*40 CFR §122.61*].

III. STANDARD PROVISIONS – MONITORING

A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [*40 CFR §122.41(j)(1)*].

B. Monitoring results must be conducted according to test procedures under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503 unless other test procedures have been specified in this Order [*40 CFR §122.41(j)(4)*] [*40 CFR §122.44(i)(1)(iv)*].

IV. STANDARD PROVISIONS – RECORDS

A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time [*40 CFR §122.41(j)(2)*].

B. Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements [*40 CFR §122.41(j)(3)(i)*];
2. The individual(s) who performed the sampling or measurements [*40 CFR §122.41(j)(3)(ii)*];
3. The date(s) analyses were performed [*40 CFR §122.41(j)(3)(iii)*];
4. The individual(s) who performed the analyses [*40 CFR §122.41(j)(3)(iv)*];
5. The analytical techniques or methods used [*40 CFR §122.41(j)(3)(v)*]; and
6. The results of such analyses [*40 CFR §122.41(j)(3)(vi)*].

C. Claims of confidentiality for the following information will be denied [*40 CFR §122.7(b)*]:

1. The name and address of any permit applicant or Discharger [*40 CFR §122.7(b)(1)*]; and
2. Permit applications and attachments, permits and effluent data [*40 CFR §122.7(b)(2)*].

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, SWRCB, or USEPA within a reasonable time, any information which the Regional Water Board, SWRCB, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, SWRCB, or USEPA copies of records required to be kept by this Order [*40 CFR §122.41(h)*] [*CWC 13267*].

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, SWRCB, and/or USEPA shall be signed and certified in accordance with paragraph (2.) and (3.) of this provision [*40 CFR §122.41(k)*].

2. All permit applications shall be signed as follows:

   a. For a corporation: By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures [*40 CFR §122.22(a)(1)*];

   b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively [*40 CFR §122.22(a)(2)*]; or

   c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA) [*40 CFR §122.22(a)(3)*].

3. All reports required by this Order and other information requested by the Regional Water Board, SWRCB, or USEPA shall be signed by a person described in paragraph (b) of this provision, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   a. The authorization is made in writing by a person described in paragraph (2.) of this provision [*40 CFR §122.22(b)(1)*];

   b. The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or any individual occupying a named position) [*40 CFR §122.22(b)(2)*]; and

   c. The written authorization is submitted to the Regional Water Board, SWRCB, or USEPA [*40 CFR §122.22(b)(3)*].

4. If an authorization under paragraph (3.) of this provision is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (3.) of this provision must be submitted to the Regional Water Board, SWRCB or USEPA prior to or together with any reports, information, or applications, to be signed by an authorized representative [40 CFR §122.22(c)].

5. Any person signing a document under paragraph (2.) or (3.) of this provision shall make the following certification:

   "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations" [*40 CFR §122.22(d)*].

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program in this Order [*40 CFR §122.41(l)(4)*].

2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or SWRCB for reporting results of monitoring of sludge use or disposal practices [*40 CFR §122.41(l)(4)(i)*].

3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board [*40 CFR §122.41(l)(4)(ii)*].

4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order [*40 CFR §122.41(l)(4)(iii)*].

D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date [*40 CFR §122.41(l)(5)*].

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [*40 CFR §122.41(l)(6)(i)*].

2. The following shall be included as information that must be reported within 24 hours under this paragraph [*40 CFR §122.41(l)(6)(ii)*]:

   a. Any unanticipated bypass that exceeds any effluent limitation in this Order [*40 CFR §122.41(l)(6)(ii)(A)*].

   b. Any upset that exceeds any effluent limitation in this Order [*40 CFR §122.41(l)(6)(ii)(B)*].

   c. Violation of a maximum daily discharge limitation for any of the pollutants listed in this Order to be reported within 24 hours [*40 CFR §122.41(l)(6)(ii)(C)*].

3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours [*40 CFR §122.41(l)(6)(iii)*].

F. Planned Changes

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when [*40 CFR §122.41(l)(1)*]:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b) [*40 CFR §122.41(l)(1)(i)*]; or

2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in this Order nor to notification requirements under 40 CFR Part 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1) [*40 CFR §122.41(l)(1)(ii)*].

3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan [*40 CFR §122.41(l)(1)(iii)*].

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Regional Water Board or SWRCB of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements [*40 CFR §122.41(l)(2)]*.

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting E.3, E.4, and E.5 at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E [*40 CFR §122.41(l)(7)*].

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, SWRCB, or USEPA, the Discharger shall promptly submit such facts or information [*40 CFR §122.41(l)(8)*].

VI. STANDARD PROVISIONS – ENFORCEMENT

A. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Clean Water Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions [*40 CFR §122.41(a)(2)*] [*CWC 13385 and 13387*].

B. Any person may be assessed an administrative penalty by the Regional Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000 [*40 CFR §122.41(a)(3)*].

C. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both [*40 CFR §122.41(j)(5)*].

D. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or by both [*40 CFR §122.41(k)(2)*].

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Regional Water Board as soon as they know or have reason to believe [*40 CFR §122.42(a)*]:

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [*40 CFR §122.42(a)(1)*]:

    a. 100 micrograms per liter (µg/L) [*40 CFR §122.42(a)(1)(i)*];

    b. 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony [*40 CFR §122.42(a)(1)(ii)*];

    c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [*40 CFR §122.42(a)(1)(iii)*]; or

    d. The level established by the Regional Water Board in accordance with 40 CFR §122.44(f) [*40 CFR §122.42(a)(1)(iv)*].

2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following “notification levels" [*40 CFR §122.42(a)(2)*]:

    a. 500 micrograms per liter (µg/L) [*40 CFR §122.42(a)(2)(i)*];

    b. 1 milligram per liter (mg/L) for antimony [*40 CFR §122.42(a)(2)(ii)*];

c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [*40 CFR §122.42(a)(2)(iii)*]; or

d. The level established by the Regional Water Board in accordance with 40 CFR §122.44(f) [*40 CFR §122.42(a)(2)(iv)*].

B. Publicly-Owned Treatment Works (POTWs)

All POTWs shall provide adequate notice to the Regional Water Board of the following [*40 CFR §122.42(b)*]:

1. Any new introduction of pollutants into the POTW from an indirect Discharger that would be subject to Sections 301 or 306 of the CWA if it were directly discharging those pollutants [*40 CFR §122.42(b)(1)*]; and

2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order [*40 CFR §122.42(b)(2)*].

Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW [*40 CFR §122.42(b)(3)*].

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

The Code of Federal Regulations (CFR) at 40 CFR §122.48 requires that all NPDES permits specify monitoring and reporting requirements. CWC sections 13267 and 13383 also authorize the Regional Water Quality Control Board (RWQCB) to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements that implement the federal and California regulations.

I. GENERAL MONITORING PROVISIONS

A. General Monitoring Provisions

1. All sampling and sample preservation shall be in accordance with the current edition of "*Standard Methods for the Examination of Water and Wastewater*" (American Public Health Association).

2. All laboratory analyses shall be performed in accordance with test procedures under 40 CFR 136 (revised as of May 14, 1999) "Guidelines Establishing Test Procedures for the Analysis of Pollutants," promulgated by the United States Environmental Protection Agency (EPA), unless otherwise specified in this MRP. For priority pollutants, the test methods must meet the lowest minimum levels (MLs) specified in Attachment E of this Order, where no methods/MLs are specified in Attachment G, then monitoring is to be conducted in accordance with methods/MLs approved by this Regional Water Board or the State Water Board consistent with the State Water Board's Quality Assurance Program. In addition, the Regional Board and/or EPA, at their discretion, may specify test methods that are more sensitive than those specified in 40 CFR 136.

3. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services or EPA or at laboratories approved by the Regional Water Board's Executive Officer.

4. Whenever the Discharger monitors any pollutant more frequently than is required by this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharge monitoring report specified by the Executive Officer.

5. In conformance with federal regulations 40 CFR 122.45(c), analyses to determine compliance with the effluent limitations for metals shall be conducted using the total recoverable method. For Chromium (VI), the dissolved method in conformance with 40 CFR 136 may be used to measure compliance with the Chromium (VI) limitation.

6. For effluent and ambient receiving water monitoring:

   a. The discharger shall require its testing laboratory to calibrate the analytical system down to the minimum level (ML)[1] specified in Attachment "G" for priority pollutants with effluent limitations in this Order, unless an alternative minimum level is approved by the Regional Water Board's Executive Officer. When there is more than one ML value for a given substance, the discharger shall use the ML values, and their associated analytical methods, listed in Attachment "G" that are below the calculated effluent limitation. The discharger may select any one of those cited analytical methods for compliance determination. If no ML value is below the effluent limitation, then the lowest ML value, and its associated analytical method, listed in Attachment "G" shall be used. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Water Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.

   b. The discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

      1) Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

      2) Sample results less than the reported ML, but greater than or equal to the laboratory's current Method Detection Limit (MDL)[2], shall be reported as "Detected, but Not Quantified," or "DNQ." The estimated chemical concentration of the sample shall also be reported.

      3) Sample results not detected above the laboratory's MDL shall be reported as "not detected" or "ND."

   c. The discharger shall submit to the Regional Water Board reports necessary to determine compliance with effluent limitations for priority pollutants in this Order and shall follow the chemical nomenclature and sequential order of constituents shown in Attachment "H" – Priority Pollutant Lists. The discharger shall report with each sample result:

      1) The reporting level achieved by the testing laboratory; and

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[1] Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

[2] MDL is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analytical concentration is greater than zero, as defined in 40 CFR 136, Appendix B, revised as of May 14, 1999.

2) The laboratory's current MDL, as determined by the procedure found in 40 CFR 136 (revised as of May 14, 1999).

d. For receiving water monitoring and for those priority pollutants without effluent limitations, the discharger shall require its testing laboratory to quantify constituent concentrations to the lowest achievable MDL as determined by the procedure found in 40 CFR 136 (revised as of May 14, 1999). In situations where the most stringent applicable receiving water objective (freshwater or human health (consumption of organisms only), as specified for that pollutant in 40 CFR 131.38[3] is below the minimum level value specified in Attachment "G" and the discharger cannot achieve an MDL value for that pollutant below the ML value, the discharger shall submit justification why a lower MDL value cannot be achieved. Justification shall be submitted together with monthly monitoring reports.

7. For non-priority pollutants monitoring, all analytical data shall be reported with identification of practical quantitation levels and with method detection limits, as determined by the procedure found in 40 CFR 136 (revised as of May 14, 1999).

8. The discharger shall have and implement an acceptable written quality assurance (QA) plan for laboratory analyses. Duplicate chemical analyses must be conducted on a minimum of ten percent (10%) of the samples, or at least one sample per month, whichever is greater. A similar frequency shall be maintained for analyzing spiked samples. When requested by the Regional Water Board or EPA, the discharger will participate in the NPDES discharge monitoring report QA performance study.

9. For every item of monitoring data where the requirements are not met, the monitoring report shall include a statement discussing the reasons for noncompliance, the actions undertaken or proposed that will bring the discharge into full compliance with requirements at the earliest time, and an estimate of the date when the discharger will be in compliance. The discharger shall notify the Regional Water Board by letter when compliance with the time schedule has been achieved.

10. The discharger shall assure that records of all monitoring information are maintained and accessible for a period of at least five years from the date of the sample, report, or application. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or by the request of the Regional Water Board at any time. Records of monitoring information shall include:

    a. The information listed in Attachment D- IV Standard Provisions – Records, subparagraph B. of this Order;

    b. The laboratory which performed the analyses;

    c. The modification(s) to analytical techniques or methods used;

[3] See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.

d. All sampling and analytical results, including

1) Units of measurement used;
2) Reporting level for the analysis (minimum level, practical quantitation level (PQL));
3) Results less than the reporting level but above the method detection limit (MDL);
4) Data qualifiers and a description of the qualifiers;
5) Quality control test results (and a written copy of the laboratory quality assurance plan);
6) Dilution factors, if used; and
7) Sample matrix type; and

e. All monitoring equipment calibration and maintenance records;

f. All original strip charts from continuous monitoring devices;

g. All data used to complete the application for this Order; and,

h. Copies of all reports required by this Order.

i. Electronic data and information generated by the Supervisory Control and Data Acquisition (SCADA) System.

11. The flow measurement system shall be calibrated at least once per year or more frequently, to ensure continued accuracy.

12. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. In the event that continuous monitoring equipment is out of service for greater than a 24-hour period, the discharger shall obtain a representative grab sample each day the equipment is out of service. The discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. In its monitoring report, the discharger shall specify the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.

II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
Influent	M-INF	Grit Chamber
Potable	M-POT	Treatment facility's administrative office
001	M-001	Latitude 33º 55' 24" N and longitude 116°59'34"W, to Cooper's Creek
002	Rec-001	Outfall to recycled water use area
003	Storm-001	V-shaped Concrete Channel
004	Storm-002	V-shaped Concrete Channel
005	Storm-003	V-shaped Concrete Channel
006	Storm-004	V-shaped Concrete Channel

III. INFLUENT MONITORING REQUIREMENTS

A. Monitoring Location

1. The Discharger shall monitor influent at M-INF as follows:

Constituent	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	MGD	Recorder/Totalizer	Continuous	See Section I.A.2., above of this MRP
Specific Conductance	µmhos/cm	Recorder	"	"
PH	pH units	Recorder	"	"
BOD	mg/l	24-hr Composite	Daily	"
Suspended Solids	mg/l	24-hr Composite	"	"
COD	mg/l	24-hr Composite	Monthly	"
Total Dissolved Solids	"	"	"	"
Ammonia-Nitrogen	mg/l	Grab	"	"
Total Inorganic Nitrogen (TIN)	"	"	"	"
Cyanide (Total)	µg/l	Grab	Quarterly	"
Boron	mg/l	24-hr Composite	"	"
Chloride	"	"	"	"
Fluoride	"	"	"	"
Sodium	"	"	"	"
Sulfate	"	"	"	"
Total Hardness	"	"	"	"

Constituent	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Arsenic	µg/l	24-hr Composite	Quarterly	See Section I.A.2., above of this MRP
Cadmium	"	"	"	"
Copper	"	"	"	"
Lead	"	"	"	"
Manganese	"	"	"	"
Mercury	"	"	"	"
Nickel	"	"	"	"
Selenium	"	"	"	"
Silver	"	"	"	"
Total Chromium	"	"	"	"
Zinc	"	"	"	"
EPA Priority Pollutants (See Attachment "H")	µg/l	24-hr composite	Annually	"

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location

1. The Discharger shall sample and monitor M-001 as follows:

Parameter	**Units**	**Sample Type**	**Minimum Sampling & Testing Frequency**	**Required Analytical Test Method**
Flow	mgd	Recorder/Totalizer	Continuous	---
Specific Conductance	µmhos/cm	Recorder	"	
pH	pH units	Grab	"	See Section I.A.2., above of this MRP
Turbidity Four-hour Results Daily Average Daily 95th Percentile	NTU[4]	Grab until the continuous monitoring device is installed & operational	Continuous	See Section I.A.2., above of this MRP
Coliform Organisms	MPN per 100 ml[5]	Grab	Daily[6]	"

[4] NTU = Nephelometric Turbidity Units

[5] MPN/100mL = Most Probable Number per 100 milliliters

Parameter	Units	Sample Type	Minimum Sampling & Testing Frequency	Required Analytical Test Method
Suspended Solids	Mg/l	Composite	Daily[7]	See Section I.A.2., above of this MRP
BOD	"	"	"	"
COD	"	"	"	"
Total Inorganic Nitrogen	"	"	Monthly	"
Ammonia-Nitrogen	"	"	"	"
Toxicity Monitoring	----	(See Section V, Below)	(See Section V, Below)	"
Total Dissolved Solids	Mg/l	Composite	Monthly	"
Chloride	Mg/l	Composite	Monthly	See Section I.A.2., above of this MRP
Sodium	"	"	"	"
Sulfate	"	"	"	"
Total Hardness	"	"	"	"
Boron	"	"	"	"
Calcium	"	"	"	"
Carbonate	"	"	"	"
Fluoride	"	"	"	"
Magnesium	"	"	"	"
Copper	µg/l	"	"	"
Chromium (VI) or Total Chromium	"	"	"	"
Mercury	"	"	"	"
Selenium	"	"	"	"
Silver	"	"	"	"
Cyanide (Free)	µg/l	Grab	Quarterly (See A.2., below)	See Section I.A.2., above of this MRP
Arsenic	"	Composite	"	"
Barium	"	"	"	"
Cobalt	"	"	"	"
Iron	"	"	"	"
Zinc	"	"	"	"

[6] Weekdays excluding holidays

[7] Weekdays excluding holidays

Parameter	Units	Sample Type	Minimum Sampling & Testing Frequency	Required Analytical Test Method
Lead	"	"	"	"
Cadmium	µg/l	Composite	Quarterly (See A.2., below)	See Section I.A.2., above of this MRP
Antimony	"	"	"	"
Manganese	"	"	"	"
Nickel	"	"	"	"
Thallium	"	"	"	"
Chloroform	µg/l	Grab	"	"
Phenolic Compounds	µg/l	Grab	Quarterly (See A.2., below)	See Section I.A.2., above of this MRP
Remaining volatile organic portion of EPA Priority Pollutants (See Attachment "H")	"	"	Annually (See A.3., below)	"
Remaining EPA Priority Pollutants (See Attachment "H")	"	"	Annually (See A.3., below)	"

Notes:

(1) Samples for total coliform bacteria shall be collected at least daily. Samples shall be taken from the disinfected effluent.

(2) Turbidity analysis shall be continuous, performed by a continuous recording turbidimeter. Compliance with the daily average operating filter effluent turbidity shall be determined by averaging the levels of recorded turbidity taken at a minimum of four-hour intervals over a 24-hour period. The results of the daily average turbidity determinations shall be reported monthly.

2. The monitoring frequency for those priority pollutants that are detected during the required semi-annual monitoring at a concentration greater than fifty percent of the most stringent applicable receiving water objectives (freshwater or human health (consumption of organisms only) as specified for that pollutant[8] in 40 CFR 131.38[9]) shall be accelerated to monthly. To return to the monitoring frequency specified, the discharger shall request and receive approval from the Regional Water Board's Executive Officer or designee.

3. The monitoring frequency for those priority pollutants that are detected during the required annual monitoring at a concentration greater than fifty percent of the most stringent applicable receiving water objectives (freshwater or human health (consumption of organisms only) as specified for that pollutant[12] in 40 CFR 131.38[13]) shall be accelerated to quarterly for one year.

[8] For those priority pollutants without specified criteria values, accelerated monitoring is not required.

[9] See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations

To return to the monitoring frequency specified, the discharger shall request and receive approval from the Regional Water Board's Executive Officer or designee.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

1. The discharger shall conduct critical life stage chronic toxicity testing in accordance with Method 1001.4 - Survival and Reproduction test for water flea, *Ceriodaphnia dubia* as specified in "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms", Fourth Edition, Environmental Monitoring Systems Laboratory, U.S. Environmental Protection Agency 2002, Cincinnati, Ohio (October 2002, EPA-821-R-02-013).

2. The discharger shall establish procedures to ensure that the toxicity testing laboratory notifies the discharger of the results of toxicity testing within twenty-four hours of completing such tests.

3. A minimum of one monthly chronic toxicity test shall be conducted on 24-hour composite samples.

4. The discharger shall increase the frequency of chronic toxicity testing to every two weeks whenever any test result exceeds 1.0 TUc. The first test under the accelerated schedule shall be conducted within two weeks of receiving notice of the test which exceeds 1.0 TUc, and every two weeks thereafter. The discharger may resume the regular test schedule when two consecutive chronic toxicity tests result in 1.0 TUc, or when the results of the Initial Investigation Reduction Evaluation conducted by the discharger have adequately addressed the identified toxicity problem.

5. The presence of chronic toxicity shall be estimated as specified in Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Fourth Edition. EPA-821-R-02-013.

6. Results for both survival and reproduction endpoints shall be reported in TUc, where TUc = 100/NOEC or $100/IC_p$ or EC_p (p is the percent effluent). The no observed effect concentration (NOEC) is the highest concentration of toxicant to which organisms are exposed in a chronic test, that causes no observable adverse effect on the tests organisms (e.g., the highest concentration of toxicant to which the values for the observed responses are not statistically significant different from the controls). The inhibition concentration (IC) is a point estimate of the toxicant concentration that causes a given percent reduction in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (the EPA Interpolation Method). The effective concentration (EC) is a point estimate of the toxicant concentration that would cause a given percent reduction in quantal biological measurement (e.g., larval development, survival) calculated from a continuous model (e.g., probit).

7. Additional Testing Requirements.

   a. A series of at least five dilutions and a control will be tested. The series shall be within 60% to 100% effluent concentration.

   b. If organisms are not cultured in-house, concurrent testing with reference toxicants shall be conducted. Where organisms are cultured in-house, monthly reference toxicant testing is sufficient. Reference toxicants shall also be conducted using the same test conditions as the effluent toxicity test (e.g., same test duration, etc).

   c. If either of the reference toxicant test or the effluent tests do not meet all test acceptability criteria as specified in the manual[10], then the discharger must re-sample and re-test within 14 days or as soon as the discharger receives notification of failed tests.

   d. Control and dilution water should be receiving water or lab water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control, using culture water shall also be used.

8. Quality Assurance/Control:

   a. A quality assurance/quality control (QA/QC) program shall be instituted to verify the results of the effluent toxicity monitoring program. The QA/QC program shall include but shall not be limited to the following: (1) Selection of an independent testing laboratory; (2) Approval by the Regional Water Board's Executive Officer or Executive Officer's designee of the independent testing laboratory; (3) Once during the year, the discharger shall split samples with the independent laboratory for conducting chronic toxicity testing; (4) Results from the independent laboratory shall be submitted to the Regional Water Board and the discharger for evaluation; (5) The discharger shall review the test acceptability criteria in accordance with the EPA test protocols, EPA-821-R-02-013.

   b. Results from the independent laboratory of the annual QA/QC split samples are to be used for Quality Assurance/Quality Control (QA/QC) purposes only and not for purposes of determining compliance with other requirements of this Order.

9. The use of alternative methods for measuring chronic toxicity may be considered by the Executive Officer on a case–by-case basis. The use of a different test species, in lieu of conducting the required test species may be considered/approved by the Executive Officer on a case-by case basis upon submittal of the documentation supporting discharger's determination that a different species is more sensitive and appropriate.

[10] Refers to USEPA Manual "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Fourth Edition. EPA-821-R-02-013.

10. Reporting: Results of all toxicity testing conducted within the month following the reporting period shall be submitted monthly in accordance with "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms", Fourth Edition, Environmental Monitoring Systems Laboratory, U.S. Environmental Protection Agency 2002, Cincinnati, Ohio (October 2002, EPA-821-R-02-013). The report shall include a determination of the median value of all chronic toxicity testing results conducted during the two previous months.

11. Whenever an Initial Investigation Reduction Evaluation is conducted, the results of the evaluation shall be submitted upon completion. In addition, monthly status reports shall be submitted as part of the discharger's monitoring report for the previous month.

12. If there are no wastewater discharges into the creek during any semi-annual toxicity monitoring period, toxicity monitoring is not necessary for that period and a note to that effect shall be reported to the Regional Board in lieu of the toxicity data. If the result of any toxicity monitoring triggers an accelerated monitoring program pursuant to Section V. 4, above and discharge into the creek has stopped prior to the completion of the accelerated monitoring, the monitoring shall commence/resume immediately upon the next discharge into the creek. The discharger may return to the semi-annual monitoring frequency once the requirements specified in Section V.4. of the monitoring and reporting program are satisfied.

VI. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

VII. RECLAMATION MONITORING REQUIREMENTS

1. The Discharger shall sample and monitor REC-001 as follows:

Parameter	Units	Sample Type	Minimum Sampling & Testing Frequency	Required Analytical Test Method
Flow	mgd	Recorder/Totalizer	Continuous	---
BOD	mg/l	Composite	"	"
Suspended Solids	"	"	"	"
PH	pH units	Grab	"	See Section I.A.2., above of this MRP
Total Dissolved Solids				
Total Inorganic Nitrogen				
Coliform Organisms	MPN per 100 ml[11]	Grab	Daily[12]	"

[11] MPN/100mL = Most Probable Number per 100 milliliters

2. Whenever recycled water is supplied to a user, the volume of recycled water, the user of recycled water, the locations of those sites including the names of the groundwater subbasins underlying the recycled water use sites, type of use (e.g. irrigation, industrial, etc) and the dates at which water is supplied shall be recorded on a permanent log. A summary report of water use by groundwater subbasins shall be submitted annually.

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

A. Surface Water

1. The following receiving water stations shall be monitored for the indicated constituents:

Station A: Cooper's Creek, within 100 feet upstream of the point of discharge. Station B: Cooper's Creek, within 100 feet downstream of the point of discharge.				
Station	**Constituent**	**Unit**	**Type of Sample**	**Minimum Frequency of Sampling & Analysis**
A and B	Dissolved Oxygen	mg/l	Grab	Weekly
A and B	Temperature	°C	"	"
A check for the presence of any color changes, foam, deposition of material, or odor in the receiving water from the discharge shall be made daily at station B.				

2. At station A, all the priority pollutants listed in Attachment "H" shall be monitored semi-annually and reported by the last day of the month following the monitoring period.

3. Unless otherwise directed by the Regional Water Board Executive Officer, the discharger shall implement the approved plan for the annual sampling and testing of mercury levels in fish flesh samples collected from the Santa Ana River. The frequency of monitoring and submission of reports shall be as stipulated in the approved plan.

B. Groundwater Monitoring: Not applicable

IX. OTHER MONITORING REQUIREMENTS

A. Biosolids Monitoring:

1. Biosolids monitoring shall be conducted as follows:

[12] Weekdays excluding holidays

Biosolids Monitoring	Units	Type of Sample	Minimum Frequency of Sampling & Testing
Priority Pollutants	mg/kg	A composite of six grab samples	Quarterly
Moisture Content (% solid)	mg/kg	Grab	"

2. The discharger shall maintain a permanent log of solids hauled away from the treatment facilities for use/disposal elsewhere, including the date hauled, the volume or weight (in dry tons), type (screening, grit, raw sludge, biosolids), application (agricultural, composting, etc.), and destination. This information shall be reported annually.

B. Water Supply Monitoring:

1. In Janury of each year, a sample of each source of the water supplied to the sewered area shall be obtained and analyzed for total dissolved solids concentration expressed in "mg/l".

2. Monthly reports shall be submitted stating the amount (in percentage or acre-feet) supplied to the sewered area from each source of water and the resulting flow-weighted water supply quality for total dissolved solids.

C. Storm Water Monitoring – See Attachment K

D. Monitoring Pursuant To Maximum Benefit Commitments

1. The discharger shall comply with the monitoring and reporting requirement specified in Attachment L, as appropriate.

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.

2. The monthly reports for June and December shall include a roster of plant personnel, including job titles, duties, and level of State certification for each individual.

3. By January 1 of each year, the discharger shall submit an annual report to the Regional Water Board. The annual report shall include the following:

   a. Tabular and graphical summaries of the monitoring data obtained during the previous year;
   b. A discussion of the compliance record and the corrective actions taken or planned, which may be needed to bring the discharge into full compliance with the waste discharge requirements;
   c. A summary of the quality assurance (QA) activities for the previous year; and
   d. For priority pollutant constituents that do not have effluent limitations but are required to be monitored, the Discharger shall evaluate the monitoring data obtained during the previous year and determine whether detected constituents are at levels that would warrant reopening the permit to include effluent limitations for such constituent(s). To conduct this evaluation, the concentration of detected constituents shall be compared to the most stringent applicable receiving water objectives (freshwater or human health (consumption of organisms only) as specified for that pollutant[13] in 40 CFR 131.38[14]). The Discharger shall include a discussion of the corrective actions taken or planned to address values above receiving water objectives.

4. At any time during the term of this Order when electronic submittal of monitoring reports has become the norm, the State or Regional Water Board may notify the Discharger to discontinue submittal of hard copies of reports. When such notification is given, the Discharger shall stop submitting hard copies of required monitoring reports.

5. The Discharger shall report monitoring results for specific parameters in accordance with the following table:

Parameter	Measurement
Flow	Daily total flow
PH	Daily High and daily low
Electrical Conductivity	Daily High
Turbidity	Daily maximum
Total Residual Chlorine	Daily Maximum

B. Self Monitoring Reports (SMRs)

1. At any time during the term of this Order, the State or Regional Water Board may notify the Discharger to electronically submit self-monitoring reports. Until such notification is given, the Discharger shall submit self-monitoring reports in accordance with the requirements described below.

[13] For those priority pollutants without specified criteria values, accelerated monitoring is not required.

[14] See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations

2. The Discharger shall submit monthly, semi-annual, and annual Self Monitoring Reports including the results of all required monitoring using USEPA-approved test methods or other test methods specified in this Order. Monthly reports shall be due on the 1st day of the second month following the end of each calendar month; Semi-annual reports shall be due on August 1 and February 1 following each semi-annual period; Annual reports shall be due on February 1 following each calendar year.

3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Sampling Frequency	Monitoring Period Begins On…	Monitoring Period	SMR Due Date
Continuous	Permit effective date	All	First day of second calendar month following month of sampling
Daily	Permit effective date	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	First day of second calendar month following month of sampling
Weekly	Sunday following permit effective date or on permit effective date if on a Sunday	Sunday through Saturday	First day of second calendar month following month of sampling
Monthly	First day of calendar month following permit effective date or on permit effective date if that date is first day of the month	1st day of calendar month through last day of calendar month	First day of second calendar month following month of sampling
Quarterly	Closest of January 1, April 1, July 1, or October 1 following (or on) permit effective date	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 August 1 November 1 February 1
Semi-Annually	Closest of January 1 or July 1 following (or on) permit effective date	January 1 through June 30 July 1 through December 31	August 1 February 1
Annually	January 1 following (or on) permit effective date	January 1 through December 31	February 1

4. The Discharger shall report with each sample result the applicable Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR Part 136.

5. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations.

6. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

7. Discharge monitoring data shall be submitted in a format acceptable to the Regional Water Board and EPA. Specific reporting format may include preprinted forms and/or electronic

media. The results of all monitoring required by this Order shall be reported to the Regional Water Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order. The hard copy of submitted reports shall serve as the official submittal.

8. SMRs must be submitted to the Regional Water Board, signed and certified as required by the standard provisions (Attachment D), to the address listed below:

   Regional Water Quality Control Board
   Santa Ana Region
   3737 Main Street, Suite 500
   Riverside, CA 92501-3348

C. Discharge Monitoring Reports (DMRs)

1. As described in Section X.B.1 above, at any time during the term of this Order, the State or Regional Water Board may notify the Discharger to electronically submit self-monitoring reports. Until such notification is given, the Discharger shall submit discharge monitoring reports (DMRs) in accordance with the requirements described below.

2. DMRs must be signed and certified as required by the standard provisions (Attachment D). The Discharge shall submit the original DMR and one copy of the DMR to the address listed below:

   State Water Resources Control Board
   Discharge Monitoring Report Processing Center
   Post Office Box 671
   Sacramento, CA 95812

3. All discharge monitoring results must be reported on the official USEPA pre-printed DMR forms (EPA Form 3320-1). Forms that are self-generated or modified cannot be accepted.